

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

In re:	)	
FRANK JAKEL and	)	Case No. 12-30551-mdm
RONNAFRAN JAKEL,	)	Chapter 13
	)	
Debtors.	)	

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**NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN**

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Frank Jakel AND Ronnafran Jakel have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court  
517 E. Wisconsin Avenue, Room 126  
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Nathan E. DeLadurantey  
DeLadurantey Law Office, LLC  
735 W. Wisconsin Avenue, Suite 720  
Milwaukee, WI 53233

If you or your attorney does not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

## REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:
  - A.   X   the Debtor;
  - B.        the Chapter 13 Trustee (post-confirmation modifications only);
  - C.        the holder of an unsecured claim (post-confirmation only).
2. This is a request to modify a Chapter 13 Plan (Select A. or B.):
  - A.        post-confirmation;
  - B.   X   pre-confirmation (Select i. or ii.);
    - i.   X   Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (LBR 3015(b)); or
    - ii.        Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:
3. The Proponent wishes to modify the Chapter 13 Plan to do the following: Pay proof of claims Nos. 8 and 9 in full.
4. The reason(s) for the modification is/are: The claims came in higher than expected.
5. Select A. or B.
  - A.        The Chapter 13 Plan confirmed or last modified on    is modified as follows:
  - B.   X   The unconfirmed Chapter 13 Plan dated August 23, 2012 is modified as follows:

### 2. Plan Payments shall be increased to \$1,750 monthly to ensure plan feasibility.

#### 6(B)(ii). Arrearage

(a) Creditor	(b) Property	(c) Estimated Arrearage Claim	(d) Estimated Monthly Payment	(e) Estimated Total Paid Through Plan
Bank Of America, N.a.	Rental real estate located at 868 County Road Q, Pelican Lake, Wisconsin 54463	\$30,300.21	Pro Rata	\$30,300.21
Chase Manhattan Mortgage	Homestead real estate located at 1004 N. 37th Street, Sheboygan, WI 53081-3685	\$42,729.41	Pro Rata	\$42,729.41
TOTALS		\$73,029.62		\$73,029.62

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

**6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

#### **CERTIFICATION**

I, Nathan E. DeLadurantey, attorney for debtors, Frank Jakel and Ronnafran Jakel, certify that I have reviewed the modification proposed above with the debtors, and that the debtors have authorized me to file it with the court.

/s/ Nathan E. DeLadurantey

\_\_\_\_\_  
Counsel for the debtors

October 1, 2012

\_\_\_\_\_  
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: October 1, 2012.

DeLadurantey Law Office, LLC  
Attorneys for Debtor

/s/

\_\_\_\_\_  
By: Nathan E. DeLadurantey  
State Bar No. 1063937

Drafted by:  
Nathan E. DeLadurantey  
SBN 1063937  
735 W Wisconsin Ave., Suite 720  
Milwaukee, WI 53233  
(414) 377-0515; Fax (414) 755-0860  
nathan@dela-law.com

A copy of the foregoing filed electronically on October 01, 2012 with:

Clerk, U.S. Bankruptcy Court  
517 East Wisconsin Avenue  
Milwaukee, WI 53202

Copies of the foregoing mailed or sent electronically  
if the party named accepts electronic service on October 01, 2012:

Office of the U.S. Trustee  
517 East Wisconsin Avenue, #430  
Milwaukee, WI 53202

Trustee Thomas J. King  
P.O. Box 3170  
Oshkosh, WI 54903-3170

/s/Caitlin York, Paralegal  
(Electronically file by)